

03/15/02

JC769 U.S. PTO

03-18-02

A

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2001.001 US

First Inventor

CLAESSENS, Johannes

Title

Recombinant infectious laryngotracheitis virus

Express Mail Label No.

EL 839703656US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 25]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages 4]
- a. ☒ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- b. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☒ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

(Insert Customer Number or Bar Code Label Here)

or ☐

Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

302 933 4034

Fax

302 933 4013

Name (Print/Type)

William P. Ramey III

Registration No. (Attorney/Agent)

44,295

Signature

Date

03/15/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

|                      |                     |
|----------------------|---------------------|
| Application Number   | TBA                 |
| Filing Date          | 03/15/2002          |
| First Named Inventor | CLAESSENS, Johannes |
| Examiner Name        | TBA                 |
| Group Art Unit       | TBA                 |
| Attorney Docket No.  | 2001.001 US         |

TOTAL AMOUNT OF PAYMENT (\$) 780.00

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-2334

Deposit Account Name Akzo Nobel

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code Fee Code Fee Description

| Fee Code | Large Entity (\$) | Small Entity (\$) | Fee Description        | Fee Paid |
|----------|-------------------|-------------------|------------------------|----------|
| 101      | 740               | 201 370           | Utility filing fee     | 740.00   |
| 106      | 330               | 206 165           | Design filing fee      |          |
| 107      | 510               | 207 255           | Plant filing fee       |          |
| 108      | 740               | 208 370           | Reissue filing fee     |          |
| 114      | 160               | 214 80            | Provisional filing fee |          |

SUBTOTAL (1) (\$) 740.00

**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 14                 | -20** =      | X              | 0.00     |
| 1                  | -3** =       | X              | 0.00     |
| Multiple Dependent |              |                |          |

Large Entity Small Entity

Fee Code Fee Code Fee Description

| Fee Code | Large Entity (\$) | Small Entity (\$) | Fee Description  |
|----------|-------------------|-------------------|--|
| 103      | 18                | 203 9             | Claims in excess of 20                                     |
| 102      | 84                | 202 42            | Independent claims in excess of 3                          |
| 104      | 280               | 204 140           | Multiple dependent claim, if not paid                      |
| 109      | 84                | 209 42            | ** Reissue independent claims over original patent         |
| 110      | 18                | 210 9             | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Fee Code | Large Entity (\$) | Small Entity (\$) | Fee Description  | Fee Paid |
|----------|-------------------|-------------------|--|----------|
| 105      | 130               | 205 65            | Surcharge - late filing fee or oath  |          |
| 127      | 50                | 227 25            | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139      | 130               | 139 130           | Non-English specification  |          |
| 147      | 2,520             | 147 2,520         | For filing a request for ex parte reexamination                            |          |
| 112      | 920*              | 112 920*          | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*            | 113 1,840*        | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110               | 215 55            | Extension for reply within first month                                     |          |
| 116      | 400               | 216 200           | Extension for reply within second month                                    |          |
| 117      | 920               | 217 460           | Extension for reply within third month                                     |          |
| 118      | 1,440             | 218 720           | Extension for reply within fourth month                                    |          |
| 128      | 1,960             | 228 980           | Extension for reply within fifth month                                     |          |
| 119      | 320               | 219 160           | Notice of Appeal   |          |
| 120      | 320               | 220 160           | Filing a brief in support of an appeal                                     |          |
| 121      | 280               | 221 140           | Request for oral hearing   |          |
| 138      | 1,510             | 138 1,510         | Petition to institute a public use proceeding                              |          |
| 140      | 110               | 240 55            | Petition to revive - unavoidable   |          |
| 141      | 1,280             | 241 640           | Petition to revive - unintentional   |          |
| 142      | 1,280             | 242 640           | Utility issue fee (or reissue)   |          |
| 143      | 460               | 243 230           | Design issue fee   |          |
| 144      | 620               | 244 310           | Plant issue fee  |          |
| 122      | 130               | 122 130           | Petitions to the Commissioner  |          |
| 123      | 50                | 123 50            | Processing fee under 37 CFR 1.17(q)  |          |
| 126      | 180               | 126 180           | Submission of Information Disclosure Stmt                                  |          |
| 581      | 40                | 581 40            | Recording each patent assignment per property (times number of properties) | 40.00    |
| 146      | 740               | 246 370           | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149      | 740               | 249 370           | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179      | 740               | 279 370           | Request for Continued Examination (RCE)                                    |          |
| 169      | 900               | 169 900           | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40.00

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

William P Ramey III

Registration No.  
(Attorney/Agent)

44,295

Telephone

302 933 4034

Signature

Date

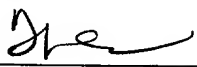
03/15/2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the USPS to the Patent and Trademark Office on the date shown below.

BY: 

Date: 3/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CLAESSENS, Johannes A.J.  
FUCHS, Walter

Serial No.: To be assigned

Group Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

For: RECOMBINANT INFECTIOUS LARYNGOTRACHEITIS VIRUS VACCINE

**SUBMISSION OF SEQUENCE LISTING**

Assistant Commissioner of Patents  
Washington, D.C. 20231

March 15, 2002

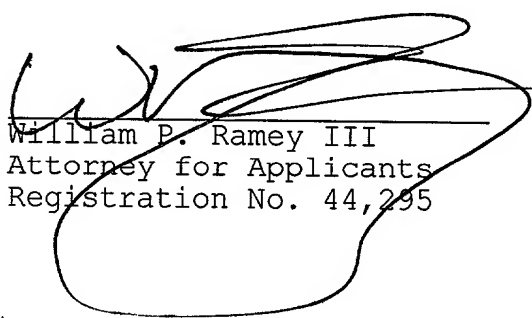
Sir:

Applicants are submitting herewith the Sequence Listing for the above-identified application both in paper copy form and in computer readable form.

The name of the file on the computer readable form is 2001.001US. The paper copy and the computer readable form are the same. No new matter is added hereby.

Please replace the current sequence listing in the specification with the instant sequence listing.

Respectfully submitted,



William P. Ramey III  
Attorney for Applicants  
Registration No. 44,295

Attorney Docket No. 99484 US  
Intervet Inc. Patent Department  
405 State Street  
P.O. Box 318  
Millsboro, DE 19966  
Tel: (302) 933-4034  
Fax: (302) 933-4013  
WPR:kmm